



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 16-031

AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM AN AGRICULTURE RESIDENTIAL TO RR-2 RURAL RESIDENTIAL – 2 ACRE, ON 2.98 ACRES OF LAND LOCATED IN THE SE ¼ OF THE NE ¼ OF SECTION 27, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

WHEREAS, Village Planning and Development Staff conditionally approved the Land for division via a certified survey map (hereafter the “associated CSM”, attached hereto as Exhibit A); and

WHEREAS, the Plan Commission of the Village of Weston having held a public hearing on the 13th day of June, 2016, to consider the rezoning of the Land, with proposed zoning districts indicated in Exhibit A; and

WHEREAS, the Plan Commission having thereafter filed its written recommendations and findings with the Village Board, and the said Board having received and approved the recommendation of said Committee;

NOW THEREFORE, the Village Board of the Village of Weston do ordain as follows:

SECTION 1: On the application (REZN-5-16-1586) of property owner Gary Guerndt, 7306 Ryan Street, Weston, WI 54476, for the following territory now comprising a part of the AR Agriculture Residential zoning district, located in Section 27, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin, is hereby designated to be and become hereafter part of the following zoning district:

RR-2 Rural Residential – 2 Acre – A parcel of land being part of Parcel 2 of Volume 48 Certified Survey Maps, Page 111 being part of the Southeast ¼ of the Northeast ¼ of Section 27, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin more particularly described as follows:

Commencing at the East ¼ Corner of Section 27; thence S 89° 29' 52" W, 966.62 feet along the South line of the Southeast ¼ of the Northeast ¼ of Section 27 to the point of beginning of the parcel herein described; thence continuing S 89° 29' 52" W, 360.47 feet along the South line of the Southeast ¼ of the Northeast ¼ of Section 27 to the Southwest corner of Parcel 2 Volume 48 Certified Survey Maps, Page 111 and the Easterly R/W of Ryan Street; thence N 01° 46' 51" W, 419.90 feet along the Easterly R/W of Ryan Street; thence N 89° 29' 38" E, 14.03 feet; thence Southeasterly 120.25 feet along the arc of a 250.00 foot radius curve concave to the Southwest whose long chord bears S 76° 43' 36" E, 119.09 feet; thence S 62° 56' 50" E, 216.34 feet; thence Southeasterly 45.60 feet along the arc of a 250.00 foot radius curve concave to the Northeast whose long chord bears S 68° 10' 21" E, 45.54 feet; thence S 01° 46' 51" E, 274.13 feet to the South line of the Southeast ¼ of the Northeast ¼ of Section 27 and the point of beginning of the parcel herein described. Said parcel contains 129,624 Square Feet or 2.98 Acres. Subject to all roadways and easements of record.

BE IT FURTHER RESOLVED that the foregoing amendment to the zoning district designations shall take effect only upon the recording of the associated CSM. If the rezoning of any lands by this Ordinance does not take effect within 180 days of the date hereof, this Ordinance shall become null and void and the zoning for such lands shall remain unchanged.

SECTION 2: The Clerk shall make necessary alterations upon the official map of the Village of Weston to reflect the changes in the zoning classifications of the property described herein.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 20th day of June, 2016.

VILLAGE BOARD OF WESTON

By: Barbara J. Ermeling
Barbara Ermeling, President

Attest: Sherry Weinkauf
Sherry Weinkauf, Village Clerk

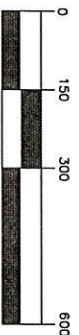
APPROVED: 6-21-16

PUBLISHED: 6-22-16

CERTIFIED SURVEY MAP VOL. _____ PAGE _____

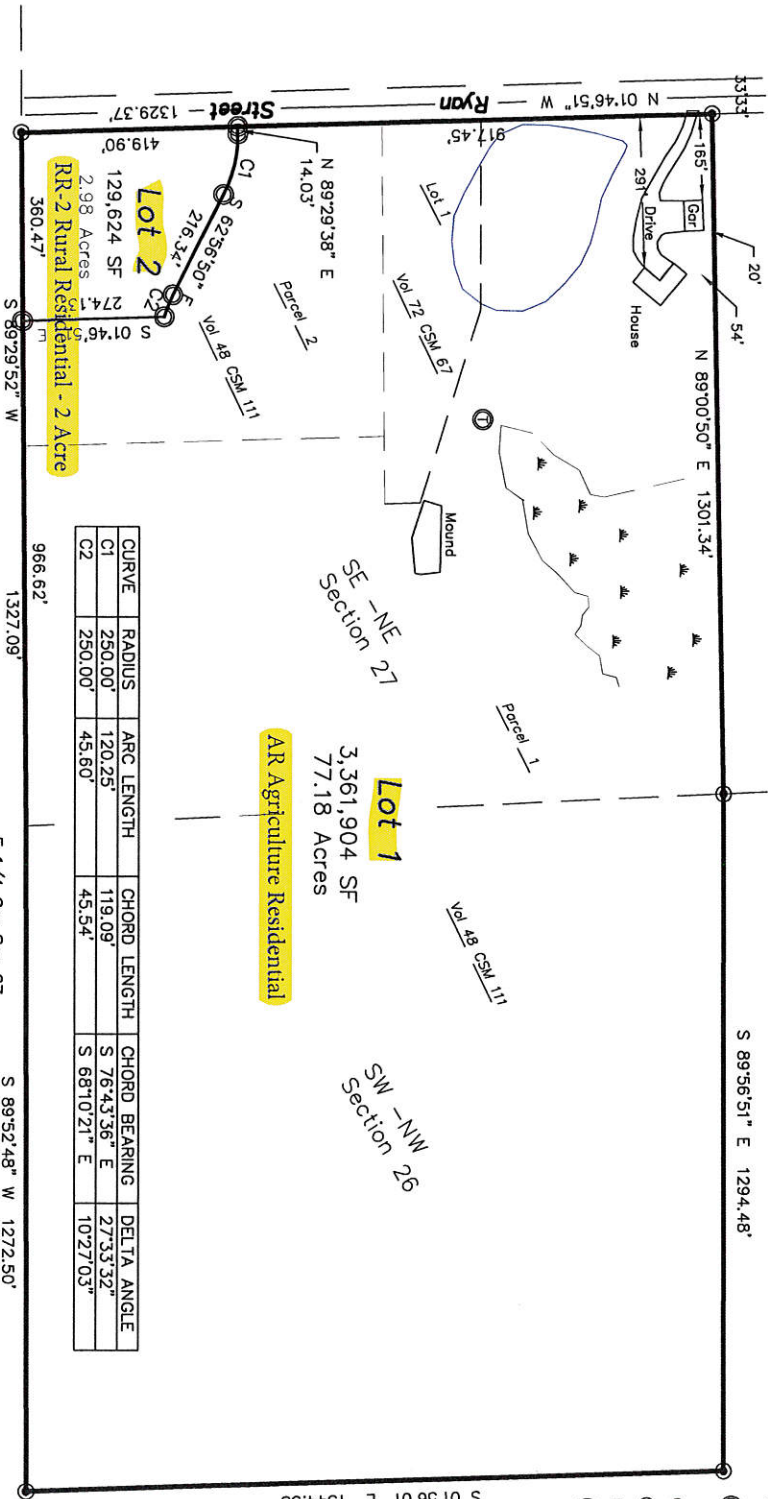
OF ALL OF PARCEL 1 AND ALL OF PARCEL 2 VOLUME 48 CERTIFIED SURVEY MAPS, PAGE 111 AND ALL OF LOT 1 VOLUME 72
CERTIFIED SURVEY MAPS, PAGE 67 BEING PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 27, AND ALL OF THE
SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 28 NORTH, RANGE 10 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

GRAPHIC SCALE



1 inch = 300ft.

- ⊙ SEPTIC VENT/TANK
- ⊙ WELL
- 1" X 24" OD IRON PIPE WEIGHING 1.13 LBS./LINEAL FOOT SET
- FOUND 2" I. PIPE
- FOUND 1" I. PIPE
- FOUND GOV'T CORNER
- RECORD DATA



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	250.00'	120.25'	119.09'	S 76°43'36" E	27°33'32"
C2	250.00'	45.60'	45.54'	S 68°10'21" E	10°27'03"

Village of Weston, WI
Notice of Newly Enacted Ordinance No. 16-031

Please take notice that the Village Board of Weston, Wisconsin enacted Ordinance No. 16-031:
“An Ordinance to Approve the Rezoning of Land from AR Agriculture Residential to RR-2
Rural Residential – 2 Acre, on 2.98 Acres of Land Located in The SE ¼ of the NE ¼ of Section
27, Village of Weston, Marathon County, Wisconsin” on Monday, June 20, 2016.

The full text of Ordinance No. 16-031 may be obtained at the office of the Village Clerk at the
Weston Municipal Center, 5500 Schofield Avenue, Weston, Wisconsin or through the Village’s
website at <http://www.westonwi.gov>.

Sherry Weinkauff, Village Clerk

Published: 6/22/16

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF

5500 SCHOFIELD AVE
WESTON

WI 544764333

VOUCHER APPROVAL

Account Number:

10-06-56910 -321-000

Description:

Ord No. 16-031

Approved by

JJ
Initials

7/8/2016
Date

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425
Order Number: 0001377150
No. of Affidavits: 1
Total Ad Cost: \$16.79
Published Dates: 06/22/16

(Signed)

[Signature]

(Date)

6-24-16

Legal Clerk

Signed and sworn before me

[Signature]

My commission expires

12-7-19



Village of Weston, WI
Notice of Newly Enacted Ordinance
No. 16-031
Please take notice that the Village Board of Weston, Wisconsin enacted Ordinance No. 16-031: "An Ordinance to Approve the Rezoning of Land from AR Agriculture Residential to RR-2 Rural Residential - 2 Acre, on 2.98 Acres of Land Located in The SE 1/4 of the NE 1/4 of Section 27, Village of Weston, Marathon County, Wisconsin" on Monday, June 20, 2016.
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Sherry Weinkauff, Village Clerk
Run: June 22, 2016 WNAXLP

WESTON VILLAGE OF

Re: Ordinance No. 16-031

GANNETT WI MEDIA
435 EAST WALNUT ST.
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GREEN BAY, WI 54305-3430

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FAX 877-943-0443

email: WDH-Legals@wdhmedia.com



**Revised Notice: Please note the corrected meeting date below.
The previous notice that was sent out indicated June 16th, but should have read
Monday, June 13, 2016.**

**VILLAGE OF WESTON
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Village of Weston Plan Commission, on **Monday, June 13, 2016, at 6:00 p.m.**, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476 to take testimony relative to the following:

CU-5-16-1585 Bonnie DeChamps, Hurckman Mechanical, Inc., PO Box 10977, Green Bay, WI 54307, requesting a conditional use permit for Hurckman Mechanical, Inc., at 5807 Prairie Street, Suite B, to allow for both a light industrial use and outdoor storage or wholesaling use within the B-3 Zoning District.

REZN-5-16-1586 Gary Guerndt, 7306 Ryan Street, Weston, WI 54476, requesting a rezoning from AR (Agricultural and Residential) to RR-2 (Rural Residential – 2 Acre), on property addressed as 8303 Ryan Street, to allow for the construction of a single family home.

CU-5-16-1588 Allen Lamers, Lamers Bus Lines, 2407 South Point Road, Green Bay, WI 54313, requesting a conditional use to allow the storage of a propane fueling tank on property located within a WHP-B (Wellhead Protection – Zone B) Overlay District, addressed as 6204/6206 and 6300/6400 Alderson Street.

The hearing notice and applicable application materials are available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>.

Written testimony may be forwarded to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to vparker@westonwi.gov, by noon on the day of the hearing. All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Planning Technician, Planning and Development Department, at 715-241-2607.

Dated this 26th day of May, 2016

Valerie Parker
Plan Commission Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, May 30, 2016 and Monday, June 6, 2016.

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF

5500 SCHOFIELD AVE
WESTON

WI 544764333

VOUCHER APPROVAL

Account Number:

10-00-56910 -321-000

Description: June PC 2016 - public
hearing notices

Approved by 10/16/16 Initials Date

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425
Order Number: 0001312907
No. of Affidavits: 1
Total Ad Cost: \$79.36
Published Dates: 05/30/16, 06/06/16

(Signed)

[Signature]

Legal Clerk

(Date)

6-8-16



Signed and sworn before me

[Signature]

My commission expires

12-7-19

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Dated this 26th day of May, 2016
Valerie Parker
Plan Commission Secretary
May 20 & June 6, 2016 WNAXLP

WESTON VILLAGE OF

Re: Hearing 6/16/16

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A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WESTON VILLAGE OF
5500 SCHOFIELD AVE
WESTON

WI 544764333

VOUCHER APPROVAL

Account Number:

10-00-56910 - 321-000

Description:

June 2016 PC public
hearing notices

Approved by

[Signature] Initials

10/16/16 Date

I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WES425
Order Number: 0001340978
No. of Affidavits: 1
Total Ad Cost: \$49.17
Published Dates: 06/08/16

(Signed)

[Signature]

(Date)

6-9-16

Legal Clerk

Signed and sworn before me

[Signature]

My commission expires

12-7-19



Revised Notice: Please note the corrected meeting date below.
The previous notice that was sent out indicated June 16th, but should have read Monday, June 13, 2016.
VILLAGE OF WESTON

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Dated this 26th day of May, 2016
Valerie Parker
Plan Commission Secretary
RUN: June 8, 2016 WNAXLP

WESTON VILLAGE OF

Re: REVISED PH 6/13

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email: WDH-Legals@wdhmedia.com

Rezone

Permit Application
Village of Weston/ETZ

Date: _____

To be Invoiced

Permit No. : REZN-5-16-1586

Payment: ☐ Cash ☐ Check No. _____

FULL COMPLETION OF THIS FORM IS REQUIRED FOR PROCESSING



5500 Schofield Ave
Weston, WI 54476

FEE

☒ Rezone (Official Zoning Map Amendment)

\$ 250.00

APPLICANT INFORMATION

Applicant Name: Gary Guernsd

☐ Agent* ☒ Property Owner

Mailing Address: 7306 Zinser St

Phone: 715-302-0334

Weston WI 54476

Email: garyg@pgainc.net

* Agents must have a LETTER OF AUTHORIZATION from all property owners at the time of filing.

Property Owner: SAME

Contact Name: _____

Mailing Address: _____

Phone: _____

Email: _____

PROJECT SITE SPECIFICATIONS

Project Address: 8303 Ryan St
(or PIN if no address)

Lot Size(ft²): 2.98 Ac

Acres: _____

Property Zone: A6

Proposed Rezone: RR-2

Current Future Land
Use Designation: RR-2

Proposed Future Land
Use Designation: _____

Legal Description: Lot 1 Pending CSM

PUBLIC HEARING REQUIRED FOR CONDITIONAL USE AND REZONE

REZONE: The Plan Commission (or Extraterritorial Zoning Committee) shall hold a public hearing on all proposed amendments to the Official Zoning Map. Following the public hearing, and after consideration of comments provided therein, the Plan Commission or Committee shall review the proposed amendment to the Official Zoning Map and shall within 45 days of the public hearing make a recommendation to the Village Board that the application be granted as requested, modified, or denied. If the Commission or Committee fails to make a recommendation within this timeframe, the proposed amendment shall be forwarded to the Village Board without recommendation. Such deadline may be extended by written or electronic agreement from the applicant. Nothing in this Chapter requires Town Plan Commission or Town Board action on proposed amendments to the Official Zoning Map in the ETZ Area.

REZONE REQUIREMENTS

Maps showing the current location and current zoning and future land use of all lands for which the conditional use permit is proposed, the location and current zoning of all lands within 300 feet, and the jurisdiction(s) within the subject property lies (Village of Weston or Town of Weston) will be provided by Village Staff.

Written justification is required for the proposed rezone consisting of the reasons why the applicant believes the proposed conditional use is appropriate, particularly as evidenced by compliance with the approval criteria set forth below.

Has the written justification been attached?

☐ Yes ☐ No

Does the rezoning involve exterior building or site improvements?

☐ Yes ☒ No

If yes to the above stated question, then a separate site plan application must be filed concurrently with this application. Failing to include a site plan application will deem the status of this application as incomplete. Incomplete applications will not be reviewed and shall be discarded within 30-days if the application status remains incomplete. Any fees collected will not be refunded.

Comparison of Proposed Rezoning with Required Review Criteria (complete below or on an attached sheet as needed):

1. Is the proposed rezoning consistent with the recommendations of the Comprehensive Plan? Explain how, or why not.

Yes. Comprehensive Plan shows future residential

2. Does the proposed rezoning further the purpose and intent of the zoning ordinance, as expressed in Section 94.1.03 of the Village's zoning ordinance? Explain how, or why not.

Yes. This re-zone implements the Comprehensive Plan, Provides adequate light and air, Prevents overcrowding, Promotes high quality design, and Manages growth and preserves community design.

3. Does the proposed rezoning address a mistake that was made in mapping on the Village's zoning map? In other words, is the subject property developed in a way that is not allowed under its current zoning? If yes, please explain.

No

4. Does the proposed rezoning address factors that have changed that make the property more appropriate for a different zoning district? Such factors may include the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, new plans, or other zoning changes in the area. If yes, please indicate the relevant factors.

No.

5. Have growth patterns or rates changed since the land was zoned as it is now? If yes, please provide supporting data and indicate how changed patterns or rates suggest the need for this rezoning.

No. This land was placed in a holding zone (AG) awaiting a time when it would be converted to residential

6. Will the proposed rezoning maintain a desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property? How?

Yes. The properties south and southwest are of a similar nature and feel to this proposal.

Village Board. The Zoning Administrator shall schedule the proposed amendment for potential Village Board action. After careful consideration of all comments, the Village Board shall within 120 days of submittal of a complete application, act to approve or reject the proposed amendment, unless extended by written or electronic agreement of the applicant. Failure of the Board to act within 120 days of submittal of a complete application (unless said deadline is extended by agreement of the applicant) shall constitute approval of the application as presented.

The Village Board may approve an amendment by a simple majority of a voting quorum, except that if the Board action is opposed to or alters a recommendation of the Plan Commission (or Extraterritorial Zoning Committee for land in the ETZ Area), and/or an official protest against the requested amendment to the Official Zoning Map meeting the requirements of Wis. Stat. § 62.23(7)(d)2m.a is filed, then approval of the amendment to the Official Zoning Map shall require an affirmative vote from three-fourths or greater of the full Village Board.

Effect of Denial. No application that has been denied (either wholly or in part) shall be resubmitted for a period of 12 months from the date of said order of denial, except on grounds of new evidence or proof of change of factors found valid by the Zoning Administrator.

STATEMENT OF UNDERSTANDING AND SIGNATURES

By signing and dating below, I acknowledge that I have reviewed and understand the Village of Weston zoning ordinance and its standards of approval related to this application; read, understand, and accept my responsibilities under the reimbursement section above; submitted an application that is true, correct, and complete to the best of my knowledge; acknowledge that Village officials and/or employees may, in the performance of their functions, enter upon the subject property to inspect or gather information necessary to process this application; understand that all meeting dates are tentative and may be postponed by the Village for the reason of incomplete submittals or other administrative reasons; if this application is approved, agree to abide by this application, approved plans, and required conditions associated with plan approval in the development of the subject property; and understand that the Village's zoning ordinance and/or the conditions of development approval may specify timeframes within which I must take certain actions related to the development of the subject property, or risk having the approval being nullified. **Failing to attach all the required components will deem the status of this application as incomplete. Incomplete applications will not be reviewed and shall be discarded within 30-days if the application status remains incomplete. Any fees collected will not be refunded.**

Dan Hugginsham for Gary Gverndt
Signature of Applicant

5/20/16
Date

Gary Gverndt
Print Applicant Name

☒ Property Owner ☐ Agent (Agents must have a LETTER OF AUTHORIZATION from all property owners)

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

Personally appeared before me this _____ day of _____ 20 _____, the above named individual, to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public

My Commission Expires: _____

STAFF REVIEW

PIN: 192-2808-271-0487 Zoning: AR ☒ Village ☐ ETZ
Filed After the Fact: ☐ Yes ☒ No Fine Imposed: ☐ Yes ☒ No Amount: _____
Publication of Notice Date 1: 5-30-16 Publication of Notice Date 2: 6-6-16

Rezone Review:

Public Hearing Date: 06-13-16 Rezone No.: REZN-5-16-1586
Proposed Zoning: AR → RR-2 FLU: Agriculture
Petition was: ☒ Approved ☐ Denied
Adoption Date: 6-21-16 Ordinance No.: 16-031
Publication Date: 6-22-16

Guerndt Re-zone description AG to RR-2

A parcel of land being part of Parcel 2 of Volume 48 Certified Survey Maps, Page 111 being part of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin more particularly described as follows:

Commencing at the East $\frac{1}{4}$ Corner of Section 27; thence S 89° 29' 52" W, 966.62 feet along the South line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27 to the point of beginning of the parcel herein described; thence continuing S 89° 29' 52" W, 360.47 feet along the South line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27 to the Southwest corner of Parcel 2 Volume 48 Certified Survey Maps, Page 111 and the Easterly R/W of Ryan Street; thence N 01° 46' 51" W, 419.90 feet along the Easterly R/W of Ryan Street; thence N 89° 29' 38" E, 14.03 feet; thence Southeasterly 120.25 feet along the arc of a 250.00 foot radius curve concave to the Southwest whose long chord bears S 76° 43' 36" E, 119.09 feet; thence S 62° 56' 50" E, 216.34 feet; thence Southeasterly 45.60 feet along the arc of a 250.00 foot radius curve concave to the Northeast whose long chord bears S 68° 10' 21" E, 45.54 feet; thence S 01° 46' 51" E, 274.13 feet to the South line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27 and the point of beginning of the parcel herein described.

Said parcel contains 129,624 Square Feet or 2.98 Acres.
Subject to all roadways and easements of record.

Village of Weston
5500 Schofield Ave
Weston WI 54476
Phone: 715-359-6114
Fax: 715-359-6117



INVOICE

Date	Number	Page
06/07/2016	9895	1

Bill To: GARY GUERNDT
8201 RYAN ST
WESTON WI 54476

Customer No. 94

Terms: NET 20 DAYS

Quantity	Description	Unit Price	Net Amount
1	CERTIFIED SURVEY MAP REVIEW	50.00	50.00
1	CERTIFIED SURVEY MAP REVIEW	50.00	50.00
1	FEES PARKLAND DEDICATION	244.00	244.00
1	REZONING REVIEW FEE	250.00	250.00

NOTES:

RCSM#5-16-1583 - Creation of 20.78-acre parcel
RCSM-6-16-1591 - Creation of 2.98 Acre Parcel
Parkland Dedication Fee for Creating new 2.98 Acre Parcel
REZN-5-16-1586: Rezone request from AR to RR-2 at 8303 Ryan Street

Amount 594.00

Balance Due 594.00

To ensure proper credit, return enclosed remittance copy with payment.

If you have any questions regarding this bill, please call Jenna at (715) 359-6114 or e-mail finance@westonwi.gov. Thank you.

A penalty of 1.5% per month will be added to all invoices not paid by the due date.



Application for Rezone
REZONE DETERMINATION BY THE VILLAGE OF WESTON
PLAN COMMISSION

Application/Petition No.: REZN-5-16-1586 Hearing Date: June 13, 2016
Applicant: Gary Guerndt, 7306 Ryan Street, Weston, WI 54476
Location: 8303 Ryan Street, Weston, WI 54476
Description: A parcel of land being part of Parcel 2 of Volume 48 Certified Survey Maps, Page 111 being part of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin more particularly described as follows:

Commencing at the East $\frac{1}{4}$ Corner of Section 27; thence S 89° 29' 52" W, 966.62 feet along the South line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27 to the point of beginning of the parcel herein described; thence continuing S 89° 29' 52" W, 360.47 feet along the South line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27 to the Southwest corner of Parcel 2 Volume 48 Certified Survey Maps, Page 111 and the Easterly R/W of Ryan Street; thence N 01° 46' 51" W, 419.90 feet along the Easterly R/W of Ryan Street; thence N 89° 29' 38" E, 14.03 feet; thence Southeasterly 120.25 feet along the arc of a 250.00 foot radius curve concave to the Southwest whose long chord bears S 76° 43' 36" E, 119.09 feet; thence S 62° 56' 50" E, 216.34 feet; thence Southeasterly 45.60 feet along the arc of a 250.00 foot radius curve concave to the Northeast whose long chord bears S 68° 10' 21" E, 45.54 feet; thence S 01° 46' 51" E, 274.13 feet to the South line of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 27 and the point of beginning of the parcel herein described. Said parcel contains 129,624 Square Feet or 2.98 Acres. Subject to all roadways and easements of record.

The Department of Planning and Development of the Village of Weston, pursuant to the Village of Weston Zoning Code, Article 16 Processes, Section 94.16.03 Amendments to the Official Zoning Map (Rezoning), hereby makes the following findings and evaluation to the Village of Weston Plan Commission:

GENERAL INFORMATION:

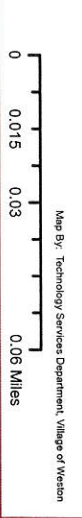
Current Zoning: **AR Agriculture Residential**
Definition: 94.2.02(1)(b) **AR Agriculture Residential.** The AR district is primarily intended to preserve agricultural, forested, and other open lands until ripe for non-agricultural development, including residential, commercial, and industrial development, and to allow for very low density residential development. The AR district is also intended for areas planned for denser development in the Comprehensive Plan, but not yet suited for such denser development due to lack of public utilities or services in the area, inadequate roads, a sufficient supply of lands zoned for development elsewhere, and other factors. (Predecessor districts: AG, RR-10)
Proposed Zoning: **RR-2 Rural Residential 2 Acres**
Definition: 94.2.02(1)(c) **RR-2 Rural Residential 2 Acres.** The RR-2 district is intended for mainly single family detached residential development on minimum two acre sized rural lots, along with compatible home occupations, small-scale institutional and recreational uses, and low-intensity agricultural uses. Development within this district may be served by private on-site wastewater treatment systems (POWTS), and roadways within a rural cross section. The RR-2 district is intended for areas planned for rural residential development within the Comprehensive Plan. (Predecessor districts: RR Rural Residential; SR Suburban Residential)
Future Land Use: **Agriculture**

- 2) Plan Commission recommends denial of the rezone request and forwards the recommendation on to the Village Board at their 6/20/16 meeting.
- 3) Plan Commission takes no action and the request moves on to the Village Board at their 6/20/2016 meeting with no recommendation.

OFFICIAL ZONING MAPS



Map Date: 6/3/2016
Adoption Date (Village): 4/20/2016
Adoption Date (ETZ): 4/20/2016
Adoption Date (Town): 1/23/2016



Map By: Technology Services Department, Village of Weston

Legend

- Auto-Gurrdl. - Ryan, St
- Village of Weston
- Extrateritorial Zoning (ETZ) Boundary
- Town of Weston
- Right-of-way
- Parcel Boundary
- Wetland
- Surface Water

ZONING DISTRICTS

- AR - Agriculture and Residential
- PR - Parks and Recreation
- RR-2 - Rural Residential-2 Acre
- RR-5 - Rural Residential-5 Acre
- SF-L - Single Family Residential-Large Lot
- SF-S - Single Family Residential-Small Lot
- 2F - Two Family Residential
- MF - Multiple Family Residential
- MH - Manufactured Home
- INT - Institutional
- B-1 - Neighborhood Business
- B-2 - Highway Business
- B-3 - General Business
- BP - Business Park
- LI - Limited Industrial
- GI - General Industrial

OVERLAY ZONING DISTRICTS

- Design - Commercial Corridor
- Design - Condominium
- Design - Renaissance
- Design - Trail
- Design - Rail-to-Trail
- Design - Western Marketplace
- Village of Weston Shoreland Zoning
- Marathon County Shoreland Zoning - Town and ETZ only

WELLHEAD PROTECTION ZONES

- Zone A
- Zone B

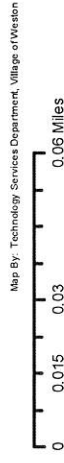


Village of Weston Marathon County, WI



FUTURE LAND USE MAP

Map Date: 6/3/2016
Adoption Date (Village): 4/20/2016
Adoption Date (ETZ): 4/20/2016
Adoption Date (Town): 1/23/2016



Legend

- Auto-Gumdl_-_Ryan_St
- Right-of-way
- Parcel Boundary
- Village of Weston
- Extrateritorial Zoning (ETZ) Boundary
- Town of Weston
- Surface Water
- Wetland

FUTURE LAND USE DESIGNATION

- Single Family Residential - Unsewered
- Single Family Residential - Sewered
- Two Family Residential
- Multiple Family Residential
- Planned Neighborhood
- Commercial
- Business/Office Park
- Mixed Use
- Industrial
- Institutional
- Parks and Recreation
- Agriculture
- Environmental Corridor



**Village of Weston, Wisconsin
AGENDA ITEM COVERSHEET
Requested for Official Consideration and Review**

REQUEST FROM: **JENNIFER HIGGINS, DIRECTOR OF PLANNING AND DEVELOPMENT**

ITEM DESCRIPTION: **ORDINANCE NO 16-031: AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM AR AGRICULTURE RESIDENTIAL TO RR-2 RURAL RESIDENTIAL – 2 ACRE, ON 2.98 ACRES OF LAND LOCATED IN THE SE ¼ OF THE NE ¼ OF SECTION 27, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.**

DATE/MTG: **BOARD OF TRUSTEES, JUNE 20, 2016**

POLICY QUESTION: Should the Village Board approve the rezone of 2.98 acres off of Ryan Street from AR to RR-2 via Ordinance No. 16-031?

RECOMMENDATION TO: I make a motion to approve the rezone of 2.98 acres off of Ryan Street from AR to RR-2 via Ordinance No. 16-031.

LEGISLATIVE ACTION:

<input checked="" type="checkbox"/> Acknowledge/Approve	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Proclamation
<input type="checkbox"/> Administrative Order	<input type="checkbox"/> Policy	<input type="checkbox"/> Reports
<input type="checkbox"/> Expenditure	<input type="checkbox"/> Procedure	<input type="checkbox"/> Resolution

FISCAL IMPACT ANALYSIS:

<input type="checkbox"/> Budget Line Item:	None
<input type="checkbox"/> Budget Line Item:	None
<input type="checkbox"/> Budgeted Expenditure:	None
<input type="checkbox"/> Budgeted Revenue:	None

STATUTORY / RULEMAKING / POLICY REFERENCES:

<input type="checkbox"/> WI Statute:	Wis. Stat. § 62.23 (7)(d)
<input type="checkbox"/> WI Administrative Code:	
<input type="checkbox"/> Case Law / Legal:	
<input checked="" type="checkbox"/> Municipal Code:	Sec. 94.16.03
<input type="checkbox"/> Municipal Rules:	

PRIOR REVIEW: Public Hearing at 6/13/16 Plan Commission Meeting

BACKGROUND:

Guerndt owns a number of parcels along Ryan Street, which one contains his home on it. He would like to parcel off a small 3-acre lot for his in-laws to build a home just south of his existing home. To do so, he needs to rezone the parcel to RR-2. As part of the CSM he will also be combining the lots together and creating a 2.98 ac AR lot and a 77.18 AR zoned lot. The larger lot, he has plans to further subdivide at a later date.

No one spoke in opposition of the rezone at the 6/13/16 Plan Commission Public Hearing. The Plan Commission recommended approval of the Ordinance 6-0. Staff concurs.

☒ Attachments

June 22, 2016

VIA EMAIL ONLY

Dan Higginbotham
7306 Ryan Street
Weston, WI 54476
danh@pgainc.net

Gary Guerndt
7306 Ryan Street
Weston, WI 54476
garyg@pgainc.net

RE: File No. REZN-5-16-1586– Rezone Request – and RCSM-6-16-1591 - CSM Application – 8303 Ryan Street

Dear Dan and Gary,

The Village Board approved the rezone request REZN-5-16-1586, on 6/20/16, via Ordinance No. 16-031 (also attached). The ordinance was published in the 6/22/16 Wausau Daily Herald.

Following the publication of Ordinance No. 16-031, the zoning on a portion of this parcel has now been designated from AR (Agriculture and Residential) to RR-2 (Rural Residential – 2 Acre).

Following the rezoning, the certified survey map for 8303 Ryan Street (RCSM-6-16-1591) has been reviewed and approved by staff. Please provide us a copy of the final CSM, at your earliest convenience, so that we may obtain the required signatures need for recording at the Marathon County Register of Deeds.

Upon acceptance and recording of the CSM by the Marathon County Register of Deeds, please forward, or have your surveyor forward, a copy of the recorded survey map to the Village Planning and Development Department for our records. The original survey map with the recording information is permanently kept on file in the Marathon County Register of Deeds Office. A copy of the recorded document can be obtained from the Register of Deeds Office, Marathon County Courthouse, 500 Forest Street, Wausau. A copy of the recorded survey can be dropped off at the Municipal Center or emailed to plandev@westonwi.gov.

Please note, the approval of this zoning and CSM shall be null and void if the CSM is not recorded within six (6) months from the date of approval, 6/22/2016.

If you have any questions or if I may be of any further assistance, please do not hesitate to contact my office at 715-359-6114.

Sincerely,

Jennifer Higgins
Director of Planning and Development/Zoning Administrator

Cc: Marathon County Register of Deeds (ucc@mail.co.marathon.wi.us)



Jennifer Higgins, Director
Planning & Development
Direct: 715-241-2638
jhiggins@westonwi.gov

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